	Application No.	Applicant(s)
Notice of Allowability	10/004,377	GALIPEAU ET AL.
	Examiner	Art Unit	
	Dieu-Minh Le	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the communication filed 02/06/06 and interview on 04/05/06*.

2. ☒ The allowed claim(s) is/are *31-32,35-47 now as 1-10*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

    Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DIEU-MINH LE
PRIMARY EXAMINER

1.   This office action is in response to the Interview on

04/05/2006 and the communication filed 02/06/2006 and Terminal

Disclaimer filed on 04/07/2006.

2.   Claims 31-32, 35-42 now as 1-10 are allowable over the

prior art of record.

3.   An Examiner's Amendment to the record appears below.

Should the changes and/or additions be unacceptable to

applicant, an amendment may be filed as provided by 37 C.F.R.

§ 1.312.   To ensure consideration of such an amendment, it **MUST**

be submitted no later than the payment of the Issue Fee.

EXAMINER'S AMENDMENT:

IN THE CLAIMS:

   Please replace all prior versions of claims in the application

   with the current listing claims in the **ATTACHMENT:**

4.   Authorization for this Examiner's Amendment was given in a

telephone interview with Mr.Jong Andrew H. Park, Registration

No. 56,917 on April 05, 2006.

Any comments considered necessary by applicant must be

submitted no later than the payment of the Issue Fee and, to

avoid processing delays, should preferably **accompany** the Issue

Fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier
communications from the examiner should be directed to Dieu-Minh
Le whose telephone number is (571) 272-3660. The examiner can
normally be reached on Monday - Thursday from 8:30 AM to 6:00
PM.
If attempts to reach the examiner by telephone are
unsuccessful, the examiner's supervisor, Scott Baderman can be
reached on (571)272-3644. The Tech Center 2100 phone number is
(571) 272-2100.
Information regarding the status of an application may be
obtained from the Patent Application Information Retrieval
(PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through
Private PAIR only. For more information about the PAIR system,
see http://pair-direct.uspto.gov. Should you have questions on
access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

DIEU-MINH THAI LE
PRIMARY EXAMINER
ART UNIT 2114

DML.
04/09/2006

ATTACHMENT:

IN THE CLAIMS

Listing of Claims:

1 – 30. (Cancelled)

31. (Currently Amended) A method for data protection comprising:

intercepting change information representing a change made by a process running on a computer system to a file on the computer system;

determining whether the change information is associated with a file to be mirrored, wherein the file to be mirrored comprises a subset of files stored on the computer system;

storing the change information on a log file; and

transmitting the contents of the log file through a network to a remote log file associated with a remote system configured to use at least in part the change information to enable a data associated with the file on the computer system to be consistent with at least a portion of the file on the computer system;

wherein the transmission is initiated by the computer system substantially concurrently with a time the change to said file occurs.

32. (Previously Presented) The method of claim 31 further comprising receiving a selection of the file as one to be mirrored.

33. (Cancelled) The method of claim 31 wherein the file is one of a plurality of files to be mirrored and intercepting the change information comprises:

intercepting all change information representing a change to any file on the computer system; and

for each set of change information that is intercepted, determining whether the change information is associated with one of said plurality of files to be mirrored.

34. (Cancelled)   The method of claim 33 wherein the plurality of files to be mirrored comprises a subset of the files stored on the computer system.

35. (Previously Presented)   The method of claim 31 wherein the change is a write operation.

36. (Previously Presented)   The method of claim 31 wherein the change is a file operation.

37. (Previously Presented)   The method of claim 31 wherein the file is accessed by an application program.

38. (Previously Presented)   The method of claim 31 wherein the change information is transmitted to a second computer.

39. (Previously Presented)   The method of claim 31 wherein the change information is transmitted to a remote computer.

40. (Currently Amended)   A system for data protection comprising:

a processor configured to intercept change information representing a change made by a process running on a computer system to a file on the computer system, determine whether the change information is associated with a file to be mirrored, wherein the file to be mirrored comprises a subset of files stored on the computer system, store the change information on a log file, and transmit the contents of the log file through a network to a remote log file associated

with a remote system configured to use at least in part the change information to enable a data associated with the file on the computer system to be consistent with at least a portion of the file on the computer system, wherein the transmission initiated by the computer system is performed substantially concurrently with a time the change to said file occurs; and

a memory coupled with the processor, wherein the memory is configured to provide the processor with instructions.

41. (Previously Presented) A method as recited in claim 31, wherein transmitting the contents of the log file comprises sending new entries in the log file since the last transmission.

42. (Previously Presented) A method as recited in claim 32, wherein receiving a selection of files to be mirrored comprises receiving a version number associated with the selection.